

**McCaw Cellular of Minnesota d/b/a
AT&T Wireless Services
vs.
Cell Phone Extensions**

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
THIRD DIVISION

MCC/McCaw Cellular of Minnesota d/b/a)
AT&T WIRELESS SERVICES,)

Plaintiff,)

vs.)

Dave Wesley, individually and d/b/a)
CELL PHONE EXTENSIONS,)

Defendants.)

Court File No. 3-95-660

**TEMPORARY RESTRAINING
ORDER**

The above-captioned matter was heard before the undersigned Chief Judge of the United States District Court on an ex parte motion for a temporary restraining order on the 19th day of July, 1995. Plaintiff appeared by and through its counsel, Hugh V. Plunkett, III, and Robert K. Shelquist, of Popham, Haik, Schnobrich & Kaufman, Ltd., 3300 Piper Jaffray Tower, 222 South Ninth Street, Minneapolis, Minnesota 55402.

NOW, THEREFORE, based upon all the files, records, and proceedings herein, it appearing to the Court that a clear showing has been made that an exigency exists by reason of which immediate and irreparable injury will certainly result to plaintiff and the public unless and prior to any preliminary or final hearing on the merits of the controversy described in the Complaint on file herein, defendant and its officers, employees, agents, servants, attorneys, and/or other persons acting or purporting to act in concert with, or on behalf of, the defendants are restrained as hereafter provided.

593/14098355 7/18/95

7.19.95
FILED
FRANCIS E. DOSAL CLERK
JUDGMENT ENTERED
DEPUTY CLERK'S INITIALS

IT IS HEREBY ORDERED that defendants Dave Wesley, individually and doing business as Cell Phone Extensions, are hereby restrained and prohibited from altering or destroying any records, including computer discs, papers, invoices, forms, and other information concerning telephones and advertisements and that the same shall be preserved in their current state and be immediately produced by defendants for seizure by the United States Marshall as follows:

- a. All lists, files, records or other information containing names, addresses and/or telephone numbers of individuals or entities for whom defendants altered, transferred, emulated or manipulated the electronic serial number ("ESN") of cellular telephones.
- b. All advertisements, brochures or other documents which advertise services defendants provide to the public for altering, transferring, emulating or manipulating the ESNs of cellular phones.
- c. Documents in defendants' possession which evidence in any way, by contract or otherwise, an arrangement with a newspaper, a television station, a radio station, or any other media outlet to advertise cell phone extensions.
- d. Documents in defendants' possession which identify other individuals or entities which provide services which alter, transfer, emulate or manipulate the ESNs of cellular telephones.
- e. Document which evidence any previous or current business relationship or dealings with the entity C2+ Technology.

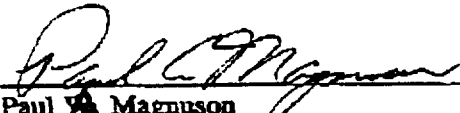
IT IS FURTHER ORDERED that plaintiff has demonstrated that defendants' interests will be adequately protected without the posting of bond.

IT IS FURTHER ORDERED that a motion for preliminary injunction in this matter shall be forthwith noticed and served and shall be heard before the Honorable Chief Judge

Paul W. Magnuson of the United States District Court in Courtroom 1, Federal Building, 316
North Robert Street, St. Paul, Minnesota, on Monday, July 25, 1995, at 3:00 ^{4 pm} pm.

Dated this 19th day of July, 1995.

BY THE COURT:


Paul W. Magnuson
Chief Judge of the District Court

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Over here, the world's best known,
most trusted name in telecommunications.
Perhaps you've heard of us.

CELLULARONE

Over here, McCaw Cellular
Communications, Inc., the world's largest,
most innovative provider of cellular
services. You know us as Cellular One.

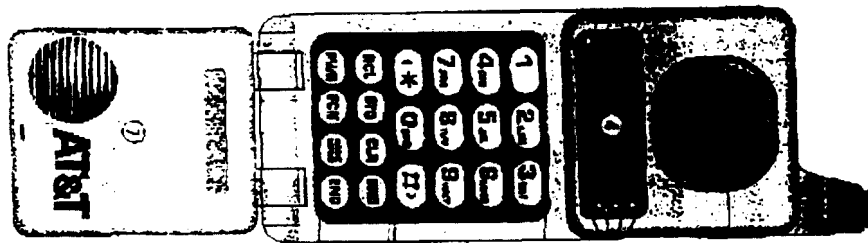
They Join.

The Result?

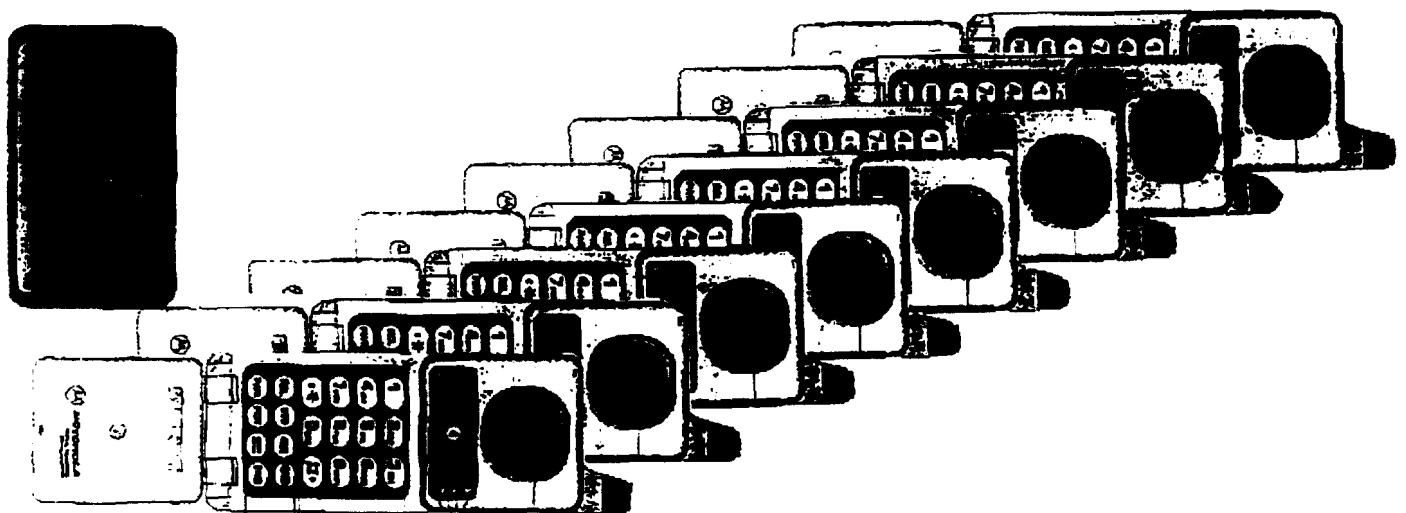
Life Gets Easier.

Introducing AT&T Wireless Services.





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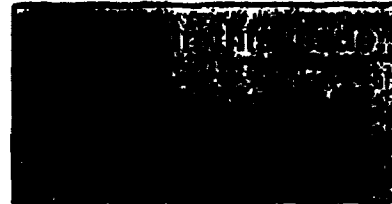
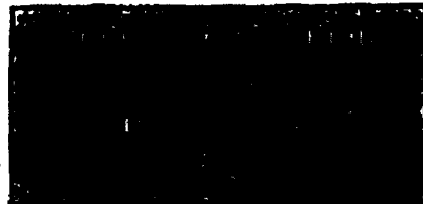
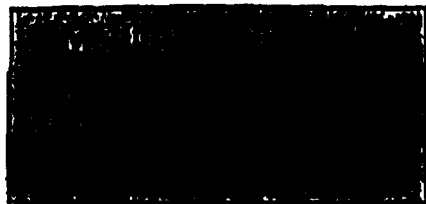
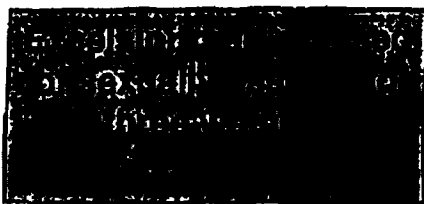
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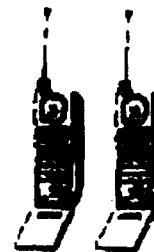
Community Journal of the West Suburban Lakes Area

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